

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As below named inventors, We hereby declare that:

Our residence, post office addresses and citizenship are as stated below, next to our names,

We believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled

METHOD AND APPARATUS FOR MINIMIZING NETWORK CONGESTION DURING LARGE PAYLOAD DELIVERY

the specification of which

XXX is attached hereto.
____ was filed on _____ as
Application Serial No.: _____
and was amended on _____
(if applicable)

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. We do not know and do not believe that the same was ever known or used in the United States of America before our invention thereof, or patented or described in any printed publication in any country before our invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, and that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by us or our legal representatives or assigns more than twelve months prior to this application.

We acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

We hereby claim foreign priority benefits under Title 35, United States Code, §119, of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

**Priority
Claimed**

(Number) (Country) (Day/Month/Year Filed) Yes
No

(Number) No.	(Country)	(Day/Month/Year Filed)	Yes
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We hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, We acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.)	(Filing Date)	(Status – patented, pending, abandoned)
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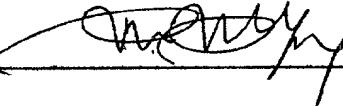
(Application Serial No.)	(Filing Date)	(Status -- patented, pending, abandoned)
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We hereby appoint all attorneys under PTO Customer Number 22804, as our attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under £1001 of Title

18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of first Inventor: SIEW YONG SIM

Inventor's Signature  Date 5/3/01

Residence Cupertino, California
(City, State)

Citizenship Singapore
(Country)

Post Office Address 10435 Sterling Boulevard
Cupertino, California 95014

Full Name of second Inventor: DESMOND CHO-HUNG CHAN

Inventor's Signature J. James Nel Date 5/31/01

Residence Mountain View, California (City, State) Citizenship USA (Country)

Post Office Address 118 Granada Drive
Mountain View, California 94043

FEE TRANSMITTAL

Electronic Version 1.0.4

Stylesheet Version: 1.0

Patent fees are subject to annual revisions on or about October 1st of each year.

Small Entity

Small Business Concern

TOTAL FEES AUTHORIZED: \$ 664

The commissioner is hereby authorized to charge indicated processing and/or

publication fees and credit any overpayments to:

Deposit Account Number: 08-1520 

Deposit Account Name: The Hecker Law Group

Charge Any Additional Fee Required Under 37 C.F.R. Sections 1.16 and 1.17.

SUBMITTED BY

Authorized Name: Obi Illoputaife

Electronic Signature Mark: Obi

Date Signed: 20010517

BASIC FILING FEE

Fee Description	Fee Code	Fee Paid
Utility Filing Fee	201	\$ 355

Subtotal For Basic Filing Fee: \$ 355

EXTRA CLAIM FEES

	Fee Code	Fee	Extra Claims	Fee Paid
Total Claims: 41	203	\$ 9	21	\$ 189
Independent Claims: 5	202	\$ 40	2	\$ 80

Subtotal For Extra Claims Fees: \$ 269

ADDITIONAL FEES

Fee Description	Fee Code	Fee Paid
Recording Each Patent Assignment Per Property Fee	581	\$ 40

Subtotal For Additional Fees: \$ 40